

### **REMARKS**

Claims 7, 8, 10, 11, and 13-16 are currently pending, wherein claims 7, 8, 10, and 11 have been amended, claims 9 and 12 have been canceled, and new claims 13-16 have been added. Favorable reconsideration is respectfully requested in view of the remarks presented herein below.

At the outset, Applicants would like to thank Examiner Tran for the courtesy given to Applicants' Representative during the telephone interview conducted on July 30, 2009. During the Interview, Applicants' Representative discussed proposed claim amendments regarding the additional feature of the PLOAM password. The Examiner suggested adding additional language from the Specification specifically defining/distinguishing a PLOAM password from a generic password.

In paragraph 2 of the Office action ("Action"), the Examiner rejects claims 7-12 under 35 U.S.C. § 013(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0008158 to Huh et al. ("Huh") in view of U.S. Patent Application Publication No. 2002/0085583 to Kasa et al. ("Kasa"). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. § 103, the Examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness three criteria must be met. First, there must be some rationale to combine the cited references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. In the present case, claims 7, 8, 10, and 11 are patentable over the combination of Huh and Kasa for at least the reason that the combination fails to disclose or suggest the optical line termination includes an issuing unit that, upon detecting a connection with a new optical network unit while performing ranging, issues a control message requesting a PLOAM password from the new optical network unit, and acquires the PLOAM password, and a setting unit that, based on the acquired PLOAM password, specifies the subscriber and the service details, and performs at least one of bandwidth setting and connection setting based on specified service details, and a new optical network unit that includes a notifying unit that receives, from the optical line termination, a control message requesting the PLOAM password, and issues a response message that notifies the

PLOAM password, where the PLOAM password is issued from a telecommunications firm as claimed.

Since the combination of Huh and Kasa fails to disclose each and every claimed element as discussed above, even if one skilled in the art had some rationale to combine Huh and Kasa (which Applicants do not concede), the combination would still fail to render claims 7, 8, 10, and 11 unpatentable. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 7, 8, 10, and 11 under 35 U.S.C. § 103.

New claims 13 and 14 depend from claims 8 and 10 respectfully. Therefore, new claims 13 and 14 are patentable over the cited prior art for at least those reasons presented above with respect to claims 8 and 10.

New claims 15 and 16 define an optical line termination and an optical network unit respectfully that include, *inter alia*, a physical layer termination unit transmitting to a newly activated optical unit a control message requesting a PLOAM password and acquiring the PLOAM password as a PLOAM message, the PLOAM password identifying a subscriber (claim 16) or a physical layer termination unit connected to the optical fiber, answering to the optical line termination during a ranging process, receiving a control message requesting the PLOAM password from the optical line termination, and sending the PLOAM password in response to the control message so that the optical network unit is registered in connection with a particular subscriber and a service allowed to the subscriber (claim 16). In addition, new claims 15 and 16 further recite that the PLAOM password is contained in a PLOAM message and issued by a physical layer. These newly added claims are patentable over the cited prior art because the cited prior art, whether taken singular or in combination, fails to disclose or suggest the above elements.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle Reg. No. 46,607 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/573,047  
Amendment dated August 17, 2009  
Reply to Office Action of April 16, 2009

Docket No.: 2611-0257PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By Penny Caudle #46,607  
D. Richard Anderson  
Registration No.: 40,439  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000